

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ivan Lavrusik,

Civil No.: 06-0207 (PJS/JJG)

Plaintiff,

v.

**REPORT AND
RECOMMENDATION**

**Jean C. Crewon, Denise M. Fraizer
and INS,**

Defendants.

JEANNE J. GRAHAM, United States Magistrate Judge

In an Order dated August 29, 2006, the undersigned directed the above-named Plaintiff to submit to the Clerk of Court the proper number of completed USM-285 forms and a copy of the Complaint for each form in order to properly effectuate service on the Defendants. The Court ordered Plaintiff to accomplish said submission on or before September 29, 2006, and indicated that a failure to comply with the Order would result in recommendation for dismissal.

As of the date of this Report and Recommendation, Plaintiff has failed to comply with the Court's Order. Consequently, the mandatory requirements for the effectuation of service upon the United States, its agencies, officers and employees, as set forth in Federal Rule of Civil Procedure 4(i), have not been met.

Based upon the foregoing and the entire file and record herein, the undersigned recommends that this case be dismissed.

Dated: December 21, 2006

s/Jeanne J. Graham
JEANNE J. GRAHAM
United States Magistrate Judge

Pursuant to D. Minn. LR 72.2(b), any party may object to this Report and Recommendation by filing and serving specific, written objections by January 11, 2007. A party may respond to the objections within ten days after service thereof. Any objections or responses filed under this rule shall not exceed

3,500 words. A District Judge shall make a de novo determination of those portions to which objection is made. Failure to comply with this procedure shall operate as a forfeiture of the objecting party's right to seek review in the United States Court of Appeals for the Eighth Circuit.